

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : : PRELIMINARY
: : ORDER OF FORFEITURE AS TO
- v. - : : SPECIFIC PROPERTY
STEVE ROSADO, : : S1 21 Cr. 3 (JSR)
: :
Defendant. : :
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WHEREAS, on or about November 1, 2021, STEVE ROSADO (the “Defendant”), was charged in a three-count Superseding Indictment, S1 21 Cr. 3 (JSR) (the “Indictment”), with, *inter alia*, attempted coercion and enticement of minors, in violation of Title 18, United States Code, Sections 2422(b) and 2 (Count One); and attempted receipt of child pornography, in violation of Title 18, United States Code, Sections 2252A(a)(2)(B) and (b)(1), and 2 (Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 2428, of any and all property, real and personal, constituting or derived from proceeds obtained, directly or indirectly, as a result of the offense charged in Count One of the Indictment; and any and all property, real or personal, that was used or intended to be used to commit or facilitate the commission of the offense charged in Count One of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, the Indictment included a forfeiture allegation as to Count Three, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 2253, of any and all property, real and personal, constituting or traceable to gross profits or other proceeds

obtained from the offense charged in Count Three of the Indictment and any and all property, real or personal, used or intended to be used to commit or promote the commission of the offense charged in Count Three of the Indictment or traceable to such property, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Three of the Indictment;

WHEREAS, on or about November 22, 2021, the Defendant pled guilty to Counts One and Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Counts One and Three of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Sections 2428 and 2253, all right, title, and interest of the Defendant in the following specific property: (1) a silver LG G6 mobile phone, seized from the Defendant's residence on or about December 7, 2020; and (2) a black Google Pixel mobile phone, seized incident to the defendant's arrest on or about December 7, 2020 (collectively, the "Specific Property");

WHEREAS, the Government alleges that the Specific Property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Sections 2253 and 2428 and 981(a)(1)(C) as property used to commit or facilitate the commission of the offenses charged in Counts One and Three of the Indictment;

WHEREAS, the Government seeks the forfeiture of all right, title and interest of the Defendant in the Specific Property as property used to commit or facilitate the commission of the offenses charged in Counts One and Three of the Indictment; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its

possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One and Three of the Indictment, to which the Defendant pled guilty, all of the Defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture as to Specific Property is final as to the Defendant, STEVE ROSADO, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Preliminary Order of Forfeiture as to Specific Property, the United States (or its designee) is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the

Notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2(b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

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9. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

SO ORDERED:



HONORABLE JED S. RAKOFF

UNITED STATES DISTRICT JUDGE

4/29/22
DATE